





Sector B<u>PATENT</u>

Docket No.: 103864.700RI1

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Christopher J. LASHER et al.

Serial No.: 09/608,013

APPLICATIONS BRANCH

Filed: June 30, 2000

For: AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

# RESPONSE TO NOTICE OF MISSING PARTS OF APPLICATION

Honorable Commissioner for Patents Washington D.C. 20231

Sir:

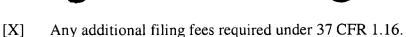
In response to the Notice of Missing Parts of Application dated July 31, 2000, submitted herewith are the following documents for filing in the above-referenced application:

- 1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
- 2. Late Filing Fee Surcharge of \$130.00
- 3. Offer to Surrender
- 4. Assignee's Consent to Reissue
- 5. Statement Under 37 C.F.R. 3.73(b)
- 6. Petition for Extension of Time and Fee of \$1890.00

Please charge Deposit Account No. 08-0219 in the amount of \$2020.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-0219 and please credit any excess fees to such deposit account.

[X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-0219. A duplicate copy is enclosed.





- [X] The Commissioner is hereby authorized to charge payment of following fees during the pendency of this application or credit any overpayment to Deposit Account No. 08-0219. A duplicate copy of this sheet is enclosed.
  - [X] Any patent application processing fees under 37 CFR 1.17.
  - [X] Any filing fees under 37 CFR 1.16 for presentation of extra claims.

It is requested that the official filing receipt now be issued.

Respectfully submitted,

HALE AND DORR LL

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Jrah H. Donner

Registration No. 35,120

The Willard Office Building 1455 Pennsylvania Avenue, NW Washgington, DC 20004 202 942 8400 IHD:lrr

Date: February 28, 2001 202 942 8484 facsimile









### UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENT AND TRADEMARKS Washington, D.C. 20231

APPLICATION NUMBER

\*OC000000005281346\*

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/608,013

06/30/2000

Christopher J. Lasher

103864-1200RI

Irah H Donner Hale and Dorr LLP The Willard Office Building 1455 Pennsylvania Avenue N W Washington, DC 20004



Date Mailed: 07/31/2000

#### NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

#### Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

• The oath or declaration is unsigned.

• To avoid abandonment, a late filling fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

 Consent of assignee is missing. 37 CFR 1.172 requires that a reissue oath/declaration be accompanied by the written consent of all assignees.

• The balance due by applicant is \$ 130.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of

Christopher J. LASHER, et al.

Serial No. 646,016

Filed: May 7, 1996

FOR: AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

FEB 2 8 2001

#### OFFER TO SURRENDER

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In accordance with the provisions of 37 C.F.R. 1.178, the undersigned applicant of the accompanying reissue application for the reissue of Letters Patent Number 5,771,657 to AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM granted on June 30, 1998, to Christopher J. Lasher, et al., and assigned to MERCK-MEDCO MANAGED CARE, L.L.C., by assignment of the entire right, title and interest, hereby offers to surrender said Letters Patent.

| MERC   | CK-MEDCO MANAGED CARE, L.L.C.            |
|--------|--|
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| By:    | 1 w In our of                            |
|        | David S. Machlowitz, Esq.                |
| Title: | Senior Vice President and General Counse |
| D.4    |  |

Docket No.: 103864;700RI1

IN THE UNITED ST **ES PATENT AND TRADEMARK OFFICE** 

In re Application of

Christopher J. LASHER et al.

Serial No. 09/608,013

Filed: June 30, 2000

For:

Group Art Unit: 3721

Examiner: Eugene Kim

AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

#### HONORABLE COMMISSIONER FOR PATENTS Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above identified application.

No additional fee is required.

[]Small Entity Status has been previously established.

Also attached: Change of Correspondence Address and Associate Power of Attorney. []

[X] The fee has been calculated as shown below:

|                    |                  | TOTAL FE                          | \$420.00        |          |          |
|--------------------|------------------|-----------------------------------|-----------------|----------|----------|
|                    |                  | Fee for extension of time         |                 |          | \$420.00 |
|                    | · •              | If multiple claims new            |                 |          |          |
| Independent Claims | 21               | 33                                | 0               | x \$42 = | \$0      |
| Total Claims       | 159              | 165                               | 0               | x \$9 =  | \$0      |
| •                  | NO. OF<br>CLAIMS | HIGHEST<br>PREVIOUSLY<br>PAID FOR | EXTRA<br>CLAIMS | RATE     | FEE      |

[X] Please charge my Deposit Account No. 08-0219 in the amount of \$420.00. An additional copy of this transmittal sheet is submitted herewith.

[X] The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 08-0219, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

DEC 0 9 2003

TECHNOLOGY CENTER R3700

Gregory S. Discher Registration No. 42,488

1455 Pennsylvania Avenue, NW

Washington, DC 20004 Phone: (202) 942-8400

Fax: (202) 942-8

GSD/srg

Date:

## PATENT/OFFICIAL

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of

Christopher J. LASHER, et al.

Serial No. 646,016

Filed: May 7, 1996



FOR: AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM

# STATEMENT UNDER 37 C.F.R. 3.73(b)

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In accordance with the provisions of 37 C.F.R. 3.73(b), MERCK-MEDCO MANAGED CARE, L.L.C., hereby states that it is the assignee of the entire right, title, and interest of U.S. Patent 5,771,657 entitled AUTOMATIC PRESCRIPTION FILLING, SORTING AND PACKAGING SYSTEM granted on June 30, 1998, to Christopher J. Lasher, et al., as well as the accompanying reissue application therefor, by virtue of a chain of title from the inventors to the current assignee as follows:

The assignment from Christopher J. Lasher, Dennis Wayne. Rice, Michael Joseph. Szesko, Frank Modrowsky, James McErlean, Michael Kennedy and Paul Thomas Shupert, to MERCK MEDCO MANAGED CARE, INC., which assignment document was recorded in the U.S. Patent and Trademark Office on October 11, 1996, at Reel 8198, Frame 0920:



The undersigned is empowered to sign this statement on behalf of the assignee.

MERCK-MEDCO MANAGED CARE, L.L.C.

| By: | IM B | his |  |
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|     |      |     |  |

David S. Machlowitz, Esq.

Title: Senior Vice President and General Counsel

Date: